

# **FISCAL MEMORANDUM**

## **HB 261 – SB 1162**

May 20, 2008

**SUMMARY OF AMENDMENT (018850):** Effective July 1, 2008, increases penalty for assault if victim is a healthcare professional or employee, and it is the offender's second or subsequent offense. Punishable as a Class E felony or Class A misdemeanor depending on the manner in which it is committed. Authorizes the issuance of an arrest warrant if there is probable cause to believe an assault was committed against a healthcare professional or employee.

### **FISCAL IMPACT OF ORIGINAL BILL:**

Increase State Expenditures - \$72,500/Incarceration\*

Increase Local Revenue – Not Significant

Increase Local Expenditures – Not Significant

### **FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Increase State Expenditures - \$75,700/Incarceration\***

**Increase Local Revenue – Not Significant**

**Increase Local Expenditures – Not Significant**

Assumptions applied to amendment:

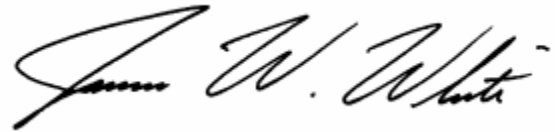
- Ten offenders will be convicted of a Class E felony of assaulting a healthcare professional in the first year and will serve 0.3 years. According to the U.S. Census Bureau, population growth in Tennessee has been 1.09 percent per year for the past 10 years. Population growth will result in one additional offender in the tenth year. The maximum cost in the tenth year, as required by Tenn. Code Ann. § 9-4-210, is based on 11 offenders serving 0.3 years as a result of this bill.
- According to the Department of Correction, the average operating cost per inmate per day for calendar year 2008 is \$62.78. The cost per inmate at 0.3 years is \$6,879.43 (\$62.78 x 109.58 days). The total additional operating cost for 11 offenders is \$75,673.73 (\$6,879.43 x 11).

- There will not be a sufficient additional number of misdemeanor prosecutions for local governments to experience any significant increase in revenues or expenses.

*\*Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

### **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" and last name "White" clearly legible.

James W. White, Executive Director

/lsc